

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – LA – SRSP – Karimnagar District – O.P.No.211/83 pertaining to Sangem (Village) Karimnagar (Mandal) - Sanction of decretal charges of **Rs.34,021/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 22

DATE: 06.01.2009
Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/1020/08, dt:25.10.08
along with the proposal of the Spl.Collector, LA,SRSP, SSP& JCRGLIP,Hyd.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.NO.211/83 of Sangem (V) Karimnagar Mandal and District. The then LAO, LA Unit, LMD Colony, Karimnagar has acquired the land for an extent of 53362.37 sq.mts for submergence under LMD Reservoir and passed an Award No.3/81-82, dt:30.05.1981 by fixing the land value @Rs.4,000/- per acre. Having dissatisfied, the awardees filed petitions u/s 18 of L.A.Act and referred the cases to the Sub-ordinate Judge Court, Karimnagar. The Sub-ordinate Judge Court, Karimnagar in its orders dt.:08.03.1998 has passed the orders that the whole (entire) house the LAO awarded compensation more than Rs.10,000/- be and hereby is enhanced by 75% than awarded by the LAO. The Govt.Pleader, High Court of A.P, Hyd has opined that it is not a fit case for filing the appeal in the Hon'ble High Court. Accordingly, an amount of Rs.1,95,552/- was deposited to the credit of O.P.No.211/83. Having dissatisfied with the compensation awarded by the Sub-ordinate Judge, Karimnagar in O.P.No.08.03.1998 the claimants have filed appeal in the Hon'ble High Court for further enhancement of compensation for houses and house sites. The Hon'ble High Court in its orders dt:30.10.1999 in A.S.No.2370/90 while allowing the appeal in part and in modification of the decree of the Lower Court order and decree that the claimants are entitled to compensation for Houses i.e Rs.88,204/-for H.No.2/74 and Rs.32,000/- for H.No.2/64-B and they are entitled for compensation at Rs.10/- per sq.mtr for 586sq.mtrs.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.34,021/- (Rupees Thirty four thousand and twenty one only) in respect of O.P.NO.211/83 of Sangem (village) Karimnagar Mandal and District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SRSP, Hyderabad may be directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.211/83 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation – 116. SRSP Stage-I, Scheme included in Plan, G.H (11) Normal State Plan – S.H (27) Canals and Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP 15609/F4(2)/2008-1, dated 29.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.32859/LA.III(A1)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER